

**REMARKS**

Claims 1-10 are pending. Applicant respectfully submits that no new matter is presented.

**Claim Rejections – 35 U.S.C. §103**

Claims 1-6 and 10 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,587,620 to Niimi et al. in view of U.S. Patent No. 4,326,297 to Sato et al. (Sato). Claims 7-9 are rejected under 35 U.S.C. §103(a) as being unpatentable over Niimi in view of Sato and further in view of U.S. Patent No. 4,191,851 to Honma et al. (Honma).

Applicant respectfully traverses both rejections for the following reason(s).

The Office Action admits that previously cited Niimi ***fails*** to disclose a noise eliminator having ***a holding unit for detecting a period of occurrence of noise contained in an input signal, passing the input signal for output during a period when noise does not occur, and putting the input signal into a hold state for output during the period of occurrence of noise.***

The Office Action further admits that previously cited Niimi also ***fails*** to disclose ***a synthetic unit for synthesizing a hold signal component of the signal output from the holding unit with an interpolation amount, the hold signal being output in the hold state.***

As a reminder, Applicant respectfully points out that Claim 1 recites a noise eliminator for eliminating noise contained in an input signal including, including, among other features, a holding unit for detecting a period of occurrence of noise contained in the input signal, passing the input signal for output during a period when no noise

occurs, and putting the input signal into a hold state for output during the period of occurrence of noise; and a synthetic unit for synthesizing a hold signal component of the signal output from the holding unit with an interpolation amount, the hold signal component being output in the hold state.

Applicant respectfully submits that Claim 10 recites a method of eliminating noise contained in an input signal, including, among other steps, a holding step of detecting a period of occurrence of noise contained in the input signal, passing the input signal for output during a period when no noise occurs, and putting the input signal into a hold state for output during the period of occurrence of noise; and a synthetic step of synthesizing a hold signal component of the signal output in the holding step with an interpolation amount, the hold signal component being output in said hold state.

Applicant respectfully submits that Niimi, Sato and Honma, alone or in any combination thereof, fail to teach or suggest each and every feature recited by Claims 1 and 10 for the following reasons.

As noted above and with respect to Claims 1 and 10, Applicant notes the Office Action admits Niimi does not disclose the holding and synthetic units of Claim 1 or the holding and synthetic steps of Claim 10.

In an attempt to cure or otherwise address the admitted deficiencies of Niimi, the Office Action applies Sato.

Specifically, the Office Action asserts Sato discloses a noise suppressing device in an FM receiver. The Office Action states that Sato teaches noise being suppressed by detecting the presence of noise using the noise detector 71 in the noise detecting

section 7 (see Fig. 2), and holding the level which was present before the noise was detected for a predetermined period of time by controlling gate 61.

Based on the above, the Office Action asserts that it would have been obvious to one of ordinary skill in the art to implement a noise suppressing device as disclosed by Sato with the noise eliminator as disclosed by Niimi in order to allow distortion-less incoming RF signals to be able to be processed and separated from corrupted signals.

The Applicant respectfully disagrees with the assertions made by the Office Action for the following reasons.

Applicant respectfully points out that the Applicant is intimately familiar with the teachings of Sato as Sato is an employee of the Assignee of the instant application.

Further, while Applicant respectfully acknowledges that familiarity of a reference is not a persuasive argument for traversing a rejection, Applicant submits that Sato fails to teach or suggest the synthetic unit or the synthesizing step of Claims 1 and 10, respectively.

In fact, Applicant respectfully notes that the Office Action provides minimal, if any, guidance as to whether Sato teaches or at least suggests a synthetic unit or synthesizing step that corresponds with that which is recited by Claims 1 and 10. Based on the above, Applicant respectfully submits that Sato, like Niimi, does not teach or suggest synthetic unit or the synthesizing step recited by Claims 1 and 10.

However, presuming the Office Action meant to state or at least suggest that the gate 61, frequency detector 62 and oscillator of the noise eliminating section 6 somehow correspond to the synthetic unit and synthesizing step recited by Claims 1 and 10, respectively, Applicants provide the following comments.

Applicant respectfully submits that the noise eliminating section 6 disclosed by Sato does not synthesize a hold signal component of the signal output from the noise holding section 7 with an interpolation amount, wherein the hold signal component being output in the hold state. Put another way, Applicant respectfully submits that the noise eliminating section 6 of Sato does not perform the step of synthesizing a hold signal component of the signal output from the unit 7 with an interpolation amount, the hold signal component being output in the hold state.

Rather, Applicant notes that the gate 61 merely controls the transmission of an IF signal to the following stage. The frequency detector 62 then receives the output of the gate 61 and performs a holding function. The oscillator then merely controls the oscillation frequency in response to the output of the frequency detector 62. See column 2, line 65 to column 3, line 3.

Applicant respectfully, but forcefully, maintains that nowhere does Sato teach or otherwise suggest synthesizing a hold signal component of the signal output from the holding section using an interpolation amount, wherein the hold signal component is output in the hold state. In fact, in any subsequent official communication from the Patent Office where the opposite position is maintained or asserted, Applicant respectfully requests that such a communication clearly identify where Sato supposedly teaches such a feature.

Moreover, Applicant respectfully points out that while the Office Action admits Niimi fails to teach or suggest a synthetic unit, the Office Action asserts the position that Niimi somehow performs a predictive operation on signals output from a synthetic unit. Despite being illogical, that is, despite teaching a feature that the Office Action admits is

not taught therein, Applicant respectfully submits that while the predictor (Claim 1) and predictive step (Claim 10) of the present invention performs a predictive operation on output signal of the synthetic unit (Claim 1) and synthetic step (Claim 10), Niimi's predicting means does not use the signal output for prediction but instead uses a digital input signal itself for use during the predictive operation. In other words, while the present invention uses an output signal, Niimi uses a digital input signal. Put simply, the present invention and Niimi use totally different signals during their respective predictive operations.

Furthermore, Applicant submits that the interpolation control unit (Claim 1) and interpolation control step (Claim 10) of the present invention stops the synthesis of the interpolation amount performed by the synthetic unit (Claim 1) and synthetic step (Claim 10) when the predicted value is inadequate or inappropriate. A close reading of column 4, line 30 through column 6, line 5 of Niimi reveals that Niimi actually discloses a calculating means for the autocorrelation function and not an interpolation control means as asserted by the Office Action.

Honma merely teaches using an FM detection signal for signal noise suppression and does not cure or otherwise address the above-discussed deficiencies of Niimi and Sato.

Therefore, Applicant respectfully submits that Niimi, Sato, and Honma, alone or in any combination thereof, fail to disclose or suggest each and every feature recited by Claims 1 and 10.

To establish *prima facie* obviousness, each and every feature of a rejected claim must be taught or suggested by the applied art of record. See M.P.E.P. §2143.03.

For the reasons provided above, Applicant respectfully submits that Niimi, Sato and Honma, alone or in any combination thereof, fail to disclose or suggest each and every feature recited by Claims 1 and 10. As such, Applicant respectfully submits Claims 1 and 10 are not rendered obvious in view of the applied art of record,

Therefore, Applicant respectfully submits Claims 1 and 10 should be deemed allowable.

Claims 2-9 depend from Claim 1. It is respectfully submitted that these claims be deemed allowable for at least the same reasons Claim 1 is allowable as well as for the additional subject matter recited therein.

As such, Applicant respectfully requests withdrawal of the rejections.

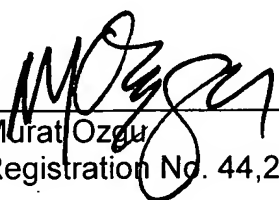
### **Conclusion**

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding rejections, allowance of the Claim 1-10, and the prompt issuance of a Notice of Allowability are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 107156.00214.**

Respectfully submitted,  
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